

1 THOMAS H. FELL, ESQ.
NV Bar No. 003717
2 **FENNEMORE CRAIG, P.C.**
300 S. Fourth Street, Suite 1400
3 Las Vegas, Nevada 89101
4 Telephone: (702) 692-8001
Facsimile: (702) 692-8061
5 NORMAN BLUMENTHAL, ESQ.
California State Bar #068687
6 **BLUMENTHAL NORDREHAUG & BHOWMIK**
2255 Calle Clara
7 La Jolla, California 92037
Telephone: (858) 551-1223
8 Facsimile: (858) 551-1232
9 ROBERT B. GERARD, ESQ.
NV Bar No. 5323
10 **GERARD & ASSOCIATES**
2840 S. Jones Blvd., Bldg. D, Ste. 4
11 Las Vegas, Nevada 89146
Telephone: (702) 251-0093
12 Facsimile: (702) 251-0094

13 *Attorneys for Appellants*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 In re:

17 TURNBERRY/MGM GRAND TOWERS,
LLC

18 Affects this Debtor.

19 In re:

20 TURNBERRY/MGM GRAND TOWER B,
LLC,

21 Affects this Debtor.

22 TURNBERRY/MGM GRAND TOWER C,
LLC,

23 Affects this Debtor.

24 Affects All Debtors

Case No.: 2:16-cv-01863-JAD

Bankruptcy Case No.: 15-13706-abl

Chapter 11

Jointly Administered with:

Case No.: 15-13708-abl TURNBERRY/MGM
GRAND TOWER B, LLC

Case No.: 15-13709-abl TURNBERRY/MGM
GRAND TOWER C, LLC

Adv. Proc. No. 15-01123-abl

25 **STIPULATION AND PROPOSED ORDER
TO VACATE CURRENT BRIEFING
DEADLINES**

26 ECF No. 7

2 KJH & RDA INVESTOR GROUP, LLC, et al.

Appellants,

4 | VS.

5 TURNBERRY/MGM GRAND TOWERS,
LLC, et al.,

Appellee.

Appellants KJH & RDA Investor Group, LLC et al. (“Appellants”), by and through their counsel Fennemore Craig, P.C., Blumenthal Nordrehaug & Bhowmik and Gerard & Associates, and Appellee Turnberry/MGM Grand Towers, LLC (“Appellee”, and together with the Appellants, the “Parties”), by and through their counsel, the law firm of Garman Turner Gordon LLP, hereby stipulate and agree as follows:

14 WHEREAS, the deadline for Appellants to file their Opening Brief is **September 30,**
15 2016, the deadline for Appellee to file an Answering Brief is **October 17, 2016**, and the deadline
16 for Appellants to file a Reply Brief is **November 3, 2016** (the “Briefing Schedule”).

17 WHEREAS, on September 22, 2016, the Appellants, Appellee and other related parties
18 entered into a Mediation Agreement to settle all claims related to this litigation, including the
19 instant Appeal, which Agreement contemplates the execution of a Settlement Agreement and
20 Release by each of the Appellants.
21

22 WHEREAS, it will take approximately sixty (60) days from the time the Settlement
23 Agreement and Release is prepared to finalize the pending settlement (the "Settlement").

24 NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

25 1. The current Briefing Schedule shall be vacated to allow the Parties sufficient time
26 to finalize the Settlement.

2. The new briefing schedule, if necessary, is as follows: The deadline for Appellants

1 to file their Opening Brief is **December 14, 2016**, the deadline for Appellee to file an Answering
2 Brief is **January 13, 2017**, and the deadline for Appellants to file a Reply Brief is **January 27,
3 2017**.

4 DATED this 27th day of September, 2016.
5

6 PREPARED AND SUBMITTED:
7 GERARD & ASSOCIATES

8 By: /s/ Robert B. Gerard
9 ROBERT B. GERARD, ESQ.
NV Bar No. 5323
10 **GERARD & ASSOCIATES**
2840 S. Jones Blvd., Bldg. D, Ste. 4
Las Vegas, Nevada 89146
11 Tel. (702) 251-0093
Fax (702) 251-0094

12 THOMAS H. FELL, ESQ.
13 NV Bar No. 003717
FENNEMORE CRAIG, P.C.
14 300 S. Fourth Street, Suite 1400
Las Vegas, Nevada 89101
15 Telephone: (702) 692-8001
Facsimile: (702) 692-8061

16 NORMAN BLUMENTHAL, ESQ.
17 California State Bar #068687
BLUMENTHAL NORDREHAUG
18 2255 Calle Clara
La Jolla, California 92037
19 Telephone: (858) 551-1223
Facsimile: (858) 551-1232

20 *Attorneys for Appellants*
21

22 APPROVED:
GARMAN TURNER GORDON LLP

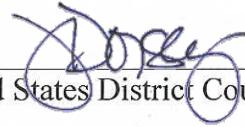
23 By: /s/ Talitha G. Kozlowski
24 GREGORY E. GARMAN, ESQ.
TALITHA GRAY KOZLOWSKI, ESQ.
GABRIELLE A. HAMM, ESQ.
650 White Drive, Suite 100
Las Vegas, Nevada 89119

25 *Attorneys for Appellee*

26 **ORDER**

27 IT IS SO ORDERED.

28 Dated: 9/28/16, 2016

29 
United States District Court Judge